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Amendment No. 2 to HB1249

**Jones U
Signature of Sponsor**

AMEND Senate Bill No. 1671

House Bill No. 1249*

By adding the following language to Section 2-10-121 of Section 1 as a new subdivision (2) and by renumbering subsequent subsections accordingly:

(2) The term "consulting services" with respect to a municipal or county official, or the immediate family of either type of official, includes services for influencing legislative or administrative action or providing consulting services for any purpose, including services to advise or assist such person or entity in maintaining, applying for, soliciting or entering into a contract with the municipality or county represented by such official. For purposes of this subdivision, the term "influencing legislative or administrative action" includes promoting, supporting, influencing, modifying, opposing or delaying any action of the county or municipality which the official represents by any means, including, but not limited to, the provision or use of information, statistics, studies, or analyses, but not including the furnishing of information, statistics, studies, or analyses requested by a municipal or county official to such official or the giving of testimony by an individual testifying at an official hearing conducted by officials of the county or municipality. The term "consulting services" does not mean the practice or business of law in connection with representation of clients by a licensed attorney in an administrative procedure or contested case action.

AND FURTHER AMEND by designating the existing language of subsection (a) of Section 2-10-122 of SECTION 1 as subsection (a)(1), and by adding the following language to such subsection (a), to be designated as subsection (a)(2):

(2) If any person or other entity that does business with a municipality or county within the state of Tennessee in any capacity, any subsidiary of such

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person or entity, any entity that contracts with such person or entity or any entity that contracts with an entity that contracts with such person or entity, pays a fee, including a retainer, commission or any other form of compensation to a municipal or county official, or the immediate family of either type of official, for consulting services, such person or entity, or subsidiary or contractor of such person or entity shall disclose to the registry of election finance the same information for such officials as required pursuant to subdivision (1) for officials in the legislative or executive branch.

AND FURTHER AMEND by designating the existing language of subsection (a) of Section 2-10-123 of SECTION 1 as subsection (a)(1), and by adding the following language to such subsection (a), to be designated as subsection (a)(2):

(2) Any member of a municipal or county legislative body or member elect of a municipal or county legislative body who receives a fee, including a retainer, commission or any other form of compensation for consulting services from a person or entity doing business with the municipality or county represented by such official, any subsidiary of such person or entity, any entity that contracts with such person or entity or any entity that contracts with an entity that contracts with such person or entity, shall be required to make the same disclosure required by § 2-10-122. The registry of election finance may devise a new form for disclosure of consulting fees by members of a municipal or county legislative body or members elect of a municipal or county legislative body or

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may modify the one required by § 2-10-122 for use by all parties required to disclose.

AND FURTHER AMEND by designating the existing language of subsection (c) of Section 2-10-123 of SECTION 1 as subsection (c)(1), and by adding the following language to such subsection (c), to be designated as subsection (c)(2):

(2) It is a Class A misdemeanor for a member of a municipal or county legislative body or member elect of a municipal or county legislative body to receive a fee, including a retainer, commission or any other form of compensation for consulting services from a person or entity doing business with the municipality or county represented by such official, a subsidiary of such person or entity, an entity that contracts with such person or entity or an entity that contracts with an entity that contracts with such person or entity, and knowingly fail to disclose such fee as required by this section.